

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

RECEIVED

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
 Advanced Television Systems)
 and Their Impact Upon the) MM Docket No. 87-268
 Existing Television Broadcast)
 Service)

To: The Commission

SUPPLEMENT TO PETITION FOR RECONSIDERATION

The Eastern Washington and Northern Idaho DTV Channel Allocation Caucus (the "Caucus"), by its attorneys and pursuant to the Commission's Order in MM Docket 87-268, DA 97-1377, released July 2, 1997, 62 Fed. Reg. 37145 (July 11, 1997), hereby respectfully submits this Supplement to its Petition for Reconsideration of the Commission's Sixth Report and Order ("Sixth R & O"), FCC 97-115, released April 21, 1997, 62 Fed. Reg. 26684 (May 14, 1997) (the "Petition").

INTRODUCTION

The Caucus is comprised of all affected full power stations in the eastern Washington State and northern Idaho region.¹ In its

¹ Specifically, the Caucus includes the following stations: KAPP, Yakima, WA, and KVEW, Kennewick, WA, authorized to Apple Valley Broadcasting, Inc.; KAUP (CP), Pendleton, OR, authorized to Communications Properties, Inc.; KUID, Moscow, ID, and KCDT, Coeur d'Alene, ID, authorized to the Idaho State Board of Education; KYVE, Yakima, WA, authorized to KCTS Television; KHQ-TV, Spokane, WA, authorized to KHQ, Incorporated; KREM-TV, Spokane, WA, authorized to King Broadcasting Company; KSKN, Spokane, WA, authorized to KSKN, Inc.; KAYU, Spokane, WA, authorized to Mountain Licenses, L.P.; KLEW, Lewiston, ID, KEPR, Pasco, WA, and KIMA, Yakima, WA, authorized to Retlaw Enterprises, Inc.; KSPS, Spokane, WA, authorized to Spokane School District No. 81; KXLY, Spokane, WA, authorized to Spokane Television, Inc.; and KTNW, Richland, WA, and KWSU, Pullman, WA, authorized to Washington State University.

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Petition, the Caucus proposes a negotiated alternative (the "Caucus Plan") to the DTV allotments and assignment pairings prescribed by the Sixth R & O ("FCC Plan"). The Caucus Plan allocates and assigns paired digital television channels which improve coverage and lower power requirements while meeting the Commission's criteria for DTV table modification and supporting the Commission's other objectives in the DTV implementation process.

DISCUSSION

This Supplement: (1) amends the Petition to delete inadvertent references to Station KNDU (NTSC Ch. 25; FCC DTV Ch. 26), Richland, Washington; (2) eliminates the Longley-Rice and terrain profile showings submitted for vacant Channel 15, Grangeville, Idaho, in connection with KHQ-TV's proposed alternative DTV channel; (3) clarifies that no conflict exists between the alternative DTV channel requests of Station KPDX (NTSC Ch. 49; FCC DTV Ch. 48), Vancouver, Washington, and Caucus member KVEW (TV) (NTSC Ch. 42; FCC DTV Ch. 14), Kennewick, Washington; and (4) provides a technical statement affirming that the Caucus proposal has been evaluated in light of OET Bulletin No. 69, with no change in the overall conclusion of any interference showing.

KNDU(TV), Richland, WA

Station KNDU, Richland, Washington, licensed to Raycom Media, Inc. ("Raycom"), is not a member of the Caucus. The Petition inadvertently refers to Station KNDU on the third page of the Engineering Statement of Stephen S. Lockwood, P.E. (attached as Exhibit B to the Petition) in a table entitled "Proposed

Modifications to Table of Allotments" and in the first full paragraph of Page 7 of the Petition itself. In addition, because of Station KNDU's non-participation in the Caucus, Footnote 6 at Page 7 should be revised to refer to the station. An amended table and amended Page 7 are attached as Exhibits 1 and 2, respectively. The Caucus respectfully requests that these pages be removed from its initial filing and the revised pages attached in their place.²

Vacant Channel 15

The Caucus also respectfully requests that its Petition be amended to eliminate the separation and terrain studies of vacant Channel 15 at Grangeville, Idaho submitted in connection with Station KHQ-TV's proposed alternative DTV channel. The Commission has deleted all existing vacant DTV allotments. Sixth R & O at ¶ 112. Accordingly, the revised table attached herein as Exhibit 1 deletes references to the Longley-Rice and terrain profile showings in connection with KHQ-TV. The Caucus respectfully requests that its Petition also be amended to remove the separation study and terrain profile map of Channel 15 at Grangeville filed with the Engineering Statement attached as Exhibit B to the Petition.

KPDX(TV), Vancouver, WA

Simultaneously with the Caucus' Petition, on June 13, 1997, KPDX License Partnership, former licensee of Station KPDX (NTSC Ch. 49; FCC DTV, Ch. 48), Vancouver, Washington, filed a Petition for

²The Caucus' interference studies reveal no conflict between Station KNDU's use of the DTV channel assigned to it in the Sixth R & O, and the alternative DTV channels proposed by the Caucus. Based on its discussions with Raycom representatives, the Caucus understands that Raycom shares this view.

Reconsideration of the Sixth R & O seeking Channel 44 as an alternative DTV channel. Station KVEW (NTSC Ch. 42; FCC DTV Ch. 14), Kennewick, Washington, also proposes that it be assigned DTV Channel 44 as part of the Caucus Plan. Although both KPDX and KVEW propose to use DTV Channel 44, the two proposals meet the DTV-DTV co-channel spacing requirements set forth in the new DTV practice rules. See 47 C.F.R. § 73.623(d). Accordingly, this is to advise the Commission that KPDX' and the Caucus' proposals are believed to be technically compatible pursuant to the FCC's rules.

OET Bulletin No. 69

As described in the certified July 12, 1997 Memorandum of Stephen S. Lockwood, P.E. (attached herein as Exhibit 3), this will confirm that the Caucus has reviewed its technical proposal in light of OET Bulletin No. 69, released July 2, 1997, and concluded that there are no substantial changes in the Caucus Plan or interference showings submitted with the Petition.

CONCLUSION

As discussed in detail in the Petition, the Caucus Plan will alleviate the loss of coverage and hardship and delay in implementation which would afflict a number of stations in the eastern Washington-northern Idaho region if the FCC plan were implemented, meet the Commission's criteria for DTV table modifications, and support the Commission's other objectives in implementing DTV. Accordingly, the Caucus respectfully requests that the Commission promptly adopt the negotiated industry solution

proposed by the Caucus, permitting expeditious implementation of DTV service in the eastern Washington and northern Idaho region.

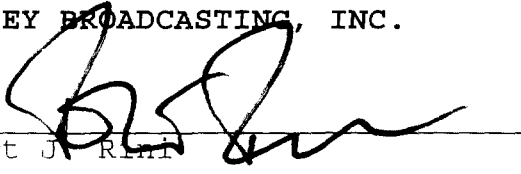
WHEREFORE, the premises considered, it is respectfully submitted that the public interest would be served through reconsideration of the Sixth R & O to the extent it allocates paired DTV channels in the Spokane and Yakima, Washington area, and adoption of the negotiated DTV channel allocation plan discussed in the Caucus' Petition and supplemented herein.

Respectfully submitted,

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EXHIBIT 1

PROPOSED MODIFICATIONS TO TABLE OF ALLOTMENTS

City of License	Call	NTSC (Analog) Channel	FCC DTV Channel	Caucus DTV Channel
Spokane/CDA	KREM	2	57	20
	KXLY	4	54	13 L-R, T
	KHQ	6	55	15
	KSPS	7	39	39
	KSKN	22	38	36 T
	KCDT	26	56	45
	KAYU	28	29	30 L-R, T
Pullman/Moscow/Lewiston	KLEW	3	32	32
	KWSU	10	17	17
	KUID	12	33	35 L-R
Richland/Pasco/Kennewick	KEPR	19	20	18
	KTNW	31	30	38
	KVEW	42	14	44
Pendleton	CP	11	4	8
Yakima/Wenatchee	KCWT	27	56	46
	KIMA	29	52	33 L-R
	KAPP	35	34	14 L-R
	KYVE	47	21	21

L-R Longley-Rice Propagation Study
T Terrain Profile Study

EXHIBIT 2

In contravention of its own objectives, the Commission also assigns five DTV channels in eastern Washington to channel slots first adjacent to existing NTSC operations.⁵ As the Commission recognized in the Sixth R & O, such assignments create substantial interference between the new DTV facility and the existing NTSC station. Sixth R & O at ¶ 195. Although the FCC Plan attempts to minimize the implications of such interference by assigning adjacent NTSC and DTV channels to the same licensee, a more complete solution is to reduce the number of instances of adjacent NTSC and DTV channels. The Caucus plan decreases the number of adjacent NTSC and DTV channels from five instances to only two channel pairs⁶ in the Spokane and Yakima DMAs.

Finally, the Sixth R & O creates substantial uncertainty for stations whose assigned DTV channels fall outside the FCC's central core of television broadcast frequencies (Channels 7 through 46). The Commission has specifically contemplated auctioning the frequencies above Channel 59, Sixth R & O at ¶ 80, stated its intention to reclaim Channels 52-59, Sixth R & O at ¶ 37; see Sixth Further Notice of Proposed Rule Making, MM Docket No. 87-268, 11 FCC Rcd. 10968 (1996) ("Sixth FNPRM"), and has reserved judgement as to the utility of Channels 2-6 in the DTV Service, Sixth R & O

⁵ The affected stations are KAYU (NTSC Ch.28), KEPR (NTSC Ch.19), KNDU (NTSC Ch.25), KTNW (NTSC Ch.31) and KAPP (NTSC Ch.35).

⁶ Under the Caucus Plan, only KEPR (NTSC Ch.19), at its own request, is assigned a DTV channel first adjacent below its NTSC station. Station KNDU (NTSC Ch. 25; FCC DTV Ch. 26), Richland, Washington has not proposed an alternative DTV channel assignment.

EXHIBIT 3

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MEMORANDUM

To: Robert Rini **From:** Stephen S. Lockwood
Date: 12 July 1997 **RE:** OST 69 Review

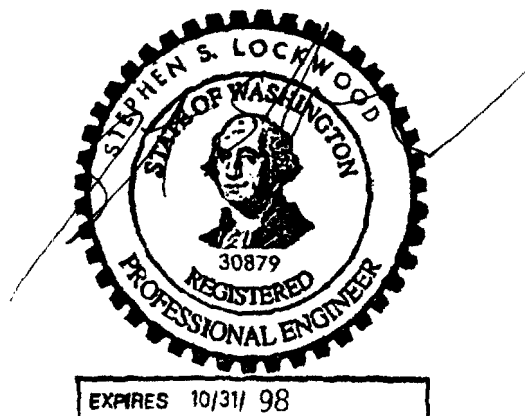
I have finished my review of OST 69. What it outlined is essentially what we have done. Several items are slightly different. However, I do not believe these differences to be significant. These differences are noted below.

For calculating the NTSC Grade B contour OST 69 uses a method that is different from the Commissions conventional method in 73.683. The OST 69 method adds a "dipole factor" which varies the field by +/- 2.3 dB at the extremes of the UHF TV band. In a quick check this varies the contour distance in the worst case by less than 5 km. However, the frequencies at which our studies were run this only vary about 0.5 dB. This results in the black Grade B contours in our studies being off about 1%. This does not change any of the conclusions of our interference showings, because the interference studies are based on ratios of signals.

OST 69 uses terrain points at 1 km spacing and 2 km square study cells. Our study uses terrain points at 0.1 km spacing and 1 km square study cells. Our studies have a finer resolution than those of OST 69 and would show more of a "real world" propagation situations. However, the overall outcome should not vary significantly.

These are the only differences between OST 69 and our studies that I could find. I believe any studies that the Commission will make will draw the same conclusions.

Thanks and please call with questions.



CERTIFICATE OF SERVICE

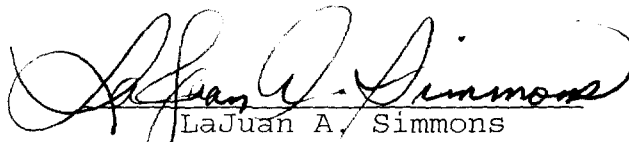
I, LaJuan A. Simmons, a Legal Secretary with the law firm of Rini, Coran & Lancellotta, P.C., hereby certify that on this 22nd day of August, 1997, copies of the foregoing "Supplement to Petition for Reconsideration" have been served via U.S. mail upon the following:

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